IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 14633 of 2004

Between:

Sajida Begum W/o late Md. Yusuf
APSRTC Midhani Depot, Hyderabad, R/o H. No. 18-12-418/0/2/A/1. Omer Colony, Hafez Babanagar, balapur Road, New Masjid Ali Hyderabad

..... PETITIONER

AND

Depot Manager, APSRTC., Midhani Depot, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not payment of PF, CCS Gratuity, SBT and SRBS amounts on the date of Md. Yousuf E. No. 200292, driver of Midhani Depot and the husband of the petitioner's retirement on medical ground on 15-5-2001 on the base of medical certificate dated 15-5-2001 and during his life time till his death date i.e., 26-8-2002 and also not payment of the retirement amounts to dependants of the deceased i.e., widow of the deceased daughters and son according to declaration, further not considering the petitioner for immediate settle of the deceased medical retirement amount and pension to the widow in spite of representations including last representation dated 31-7-2004 which was acknowledge by the respondent office on 4-8-2004 is as illegal, unjust natural justice by granting all consequential benefits and directing the respondent to pay the retirement amounts of the deceased Md. Yousuf Driver to his wife as per declaration considering the representation.

Counsel for the Petitioner: MR.MOHD.GHOUSEUDDIN

Counsel for the Respondent: MR.K.HARINATH
(SC FOR APSRTC)

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.14633 OF 2004

ORDER:

The petitioner claims that she is the widow of a driver of the respondent Corporation. The husband of the petitioner retired on 15-05-2001 on medical invalidation, and subsequently he died on 26-08-2002. The retirement benefits due to the employee were not paid during his life-time, therefore, the petitioner made a representation on 31-07-2004, requesting the respondent Corporation to pass appropriate orders, releasing all the retirement benefits of her husband to her at the earliest.

2. Since there was no order passed by the respondent Corporation, the petitioner approached this Court seeking a direction to the respondent to pass appropriate orders regarding the retirement benefits of her husband.

3. In the light of the circumstances explained by the petitioner, the respondent is directed to take necessary steps for payment of the retirement benefits of the husband of the petitioner to whatever amounts she is eligible, including the pension, if any, within two months from the date of receipt of a copy of this order according to Rules.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

18th August, 2004

SKM

TO

1 The Depot Manager, APSRTC., Midhani Depot, Hyderabad

2 Two C.D.Copies.